

Testing the Limits: Archbishop Bancroft and Exorcism Cases in the High Commission

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Introduction

Richard Bancroft became a bishop in a period marked by argument over the legal and coercive powers of bishops.² He attempted to contradict common law verdicts in a period defined by jurisdictional conflict, especially between prerogative courts and common law courts, but also where bishops struggled to negotiate the range of their authority against competing forces, from the monarch downwards.³ More broadly, justices of King's Bench questioned the range and extent of the jurisdictions of a number of bodies. For instance the turn of the sixteenth and seventeenth centuries was marked by conflict between the common law courts and the Court of Marshalsea, the court which had traditionally tried cases related to the monarch's immediate surroundings.⁴ Another contested jurisdiction was the High Commission, which jurists criticised as being a 'foreign' court.⁵ Although as originally established the High Commission had functioned with the participation of both churchmen and laity, by the end of Elizabeth's reign its powers were widely disputed by lay privy councillors and parliamentarians.⁶ The ecclesiastical jurisdiction punished a range of social and sexual offences, such as women who were scolds.⁷ It was also Bancroft's instrument for punishing as frauds people whose possessions had been accepted as genuine by the common law courts.

As an investigator of cases of alleged *maleficium* Bancroft organised the defences of women accused of bewitching people, interrogated the supposed demoniacs, extracted confessions of fraudulent practice and adduced medical evidence to counteract claims of possession. In doing so, Bancroft cut across verdicts which had been reached under Sir Edmund Anderson, the Lord Chief Justice of the Common Pleas, a Calvinist, and a convinced believer in the reality of witchcraft.⁸ But Bancroft's actions represent more than an individual conflict but rather reveal the active clash between the secular courts and the ecclesiastical High Commission, a clash promoted and polemically used by episcopal opponents.

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² Stuart Barton Babbage, *Puritanism and Richard Bancroft* (London: SPCK, 1962), pp.103-5.

³ For an account of contrasting understandings of prerogative laws see Sybil M. Jack, 'In Search of the Custom of the Exchequer', *Parergon* new series 11, 2 (1993), pp.89-105, 98.

⁴ Douglas G. Greene, 'The Court of Marshalsea in Late Tudor and Stuart England', *American Journal of Legal History* 20, 4 (1976), pp.267-281.

⁵ Greene, 'The Court of Marshalsea', p.268.

⁶ Leland H. Carlson, 'The Court of High Commission: A Newly Discovered Elizabethan Letters Patent, 20 June 1589', *Huntingdon Library Quarterly* 45, 4 (1982), pp.295-315, 298.

⁷ Michael MacDonald, 'Women and Madness in Tudor and Stuart England', *Social Research* 53, 2 (1986), pp.261-281, 273, 277.

⁸ DNB.

To place the cases of exorcism in their context, and to understand how Bishop Bancroft used them to express episcopal authority, it is necessary to consider the nature of the polemic against bishops in this period. It is significant that Bancroft was the leading episcopal opponent of the judicial processes against women accused of bewitchment, as he was easily the most combative occupant of the bench of bishops in the reign of James I.⁹ His actions in defending episcopacy point to the sources of attack and their substantive arguments. When he was still the Bishop of London, Bancroft was entrusted by Archbishop Whitgift (d.1604) with organizing the defence of the episcopate on a number of fronts. One of these was against anti-episcopal agitation which emerged from puritan laity and clergy, who posited that continental reformations, which had settled authority on presbyters or in consistory, were an affront to the continued survival of bishops in the reformed English Church.¹⁰ The same puritan circles were also the patrons of exorcists and exorcisms, which became assemblies of prayerful co-religionists and were sites of significant anti-episcopal sentiment.¹¹ Bancroft in particular mobilized episcopal defences against puritan agitation embodied in the Millenary Petition of 1603 and the Hampton Court Conference of 1604, both of which articulated the deficiencies in the extent to which the English Church and State had carried reform.¹² Many writings on the Church's hierarchy reconstruct an episcopate which experienced a combative relationship with Puritanism, a nebulous but broadly anti-episcopal group of laity and churchmen which urged the further reformation of the Church. Challenges to episcopal functions were inspired by the widely-held and strongly expressed view that the Reformation was not a fixed point in time, but rather a process not yet completed.¹³

As agents of ecclesiastical authority, but subject to the civil authority of monarchy and magistracy, the jurisdictional position of the bishops was ambiguous. Legal opinion in post-Reformation England suggested that civil law and ecclesiastical law derived from different sources – the former from natural law, the latter from divine and positive law.¹⁴ Bishops sat at the confluence of both, and post-Reformation understandings of law left their status and

⁹ Brownlow, *Devils of Denham*, p.35. This aspect of Bancroft's personality and career is attested by numerous actions, including raising a troop of pikemen to defeat the uprising by the Earl of Essex; Alan Haynes, *Robert Cecil 1st Earl of Salisbury: Servant of Two Sovereigns* (London: Peter Owen, 1989), p.144.

¹⁰ Calvin's *Institutes* placed the responsibility for ecclesiastical rule and order in the hands of magistracy and community, an idea that English theologians were still grappling with by the late-sixteenth century.

¹¹ Darren Oldridge, 'Protestant Conceptions of the Devil in Early Stuart England', *History* 85, 278 (2000), pp.232-246, 241.

¹² Alastair Bellany, 'A Poem on the Archbishop's Hearse: Puritanism, Libel and Sedition after the Hampton Court Conference', *Journal of British Studies* 34, 1 (1995), pp.137-164.

¹³ Diarmaid MacCulloch, *The Boy King: Edward VI and the Protestant Reformation* (New York: Palgrave, 1999), pp.199-200. The implications of a 'Long Reformation' are explored in Jeremy Gregory, 'The Eighteenth-Century Reformation: The Pastoral Task of Anglican Clergy after 1689', in J. Haydon Walsh, and S. Taylor (eds), *The Church of England c.1689 – c.1833: From Toleration to Tractarianism* (Cambridge: Cambridge University Press, 1993), pp. 67-89.

¹⁴ I am indebted to Sybil M. Jack for this point.

authority unresolved. Bishops knew themselves to be servants of the supreme governor of the Church, whose position was established by Act of Parliament.¹⁵ They also grew accustomed to being told what to do by monarchs, as Henry VIII, Edward VI and Elizabeth did not hesitate to issue injunctions relating to religion. This establishment did mean that bishops could demand obedience to their power; the Church was linked to monarchy, and disobedience to one was disobedience to the other. Bishops accordingly possessed significant powers to enforce conformity and punish backsliding, even if these powers were not as extensive or as formalised as those which the 1662 Act of Uniformity would later impose.¹⁶ Bishops operated through their own courts, and canon law operated in a separate jurisdiction to the secular courts.¹⁷ Bishops could assert their financial rights and contest opposition by using the ecclesiastical courts.¹⁸ However the confusions and ambiguities inherent in episcopal office continued to inform much anti-episcopal polemic, which brought into question the range and extent of episcopal functions and indeed challenged the continuing existence of bishops.

Although bishops were subject to puritan attack, clearly conciliar and judicial circles were also unsympathetic to the range of their powers. One arena where the power of bishops was challenged was ongoing dispute over the powers of High Commission. A test case of 1592 had presented a challenge to the powers of the Commission, but real contestation took place once James VI of Scotland had acceded to the English throne, and became involved in interminable disagreements between Bancroft, on behalf of the prerogative commission, and the justices of the King's Bench and Common Pleas, including Anderson but with particular involvement of Sir Edward Coke, who succeeded Anderson at the Common Pleas. The three-way disputes involving High Commission (especially Bancroft), the King and the Judges of King's Bench and Common Pleas (especially Coke) were ultimately inconclusive respecting the powers of the High Commission, even though new letters patent were issued and limited the scope of the Commission to certain matters including heresy and schism.¹⁹ The contestation between bishops and judges was further fought out at the Hampton Court Conference of 1604, and between 1607 and 1611 in what the historian of Jacobean jurisprudence Loius Knafla calls a great debate between lawyers and civilians (including churchmen) over the jurisdiction of ecclesiastical courts.²⁰ As records of these major discussions make clear, the jurist Edward

¹⁵ J.A.I.Champion, *The Pillars of Priestcraft Shaken: The Church of England and its Enemies 1660-1730* (Cambridge: Cambridge University Press, 1992), p.91.

¹⁶ J.F. McGregor, 'Paul Best and the Limits of Toleration in Civil War England', *Parergon* 21, 2 (2004), p.95.

¹⁷ Some differences are spelt out in R.H.Helmholz, *Canon Law and the Law of England* (London: Hambledon Press, 1987), p.33.

¹⁸ John G. Hoffman, 'Another Side of "Thorough": John Cosin and the Administration, Discipline and Finance in the Church of England, 1624-1644', *Albion* 13, 4 (1981), pp.347-363, 348.

¹⁹ R.G.Usher, *The Rise and Fall of the High Commission* (The Lawbook Exchange, 1913), pp.236-46.

²⁰ Knafla, *Law and Politics*, p.138.

Coke urged the reduction of the authority of ecclesiastical commissions, an argument also made by Ellesmere, the Lord Chancellor.²¹ Ultimately, these arguments reached the Privy Council, where Bancroft and Coke argued their respective cases for the powers of High Commission and common law.²²

Coke in particular was a combative opponent, using writs of prohibition in order to undercut the authority of the High Commission. However he did not destroy it and James's moderation did little to resolve the original source of disagreement: the vagueness of the letters patent and the scope of the High Commission's powers. Instead the disagreements settled down because Bancroft died in 1610 and one of the major antagonists thus was removed from the scene.

While the disputes between King, bishop and judges were inconclusive, Bancroft was decisive in how he handled cases of exorcism; his actions participated in jurisdictional conflicts, as they represent Bancroft clawing back control of the cases from the Common Law courts and defying the verdicts of those courts. They accordingly testify to a common pattern of legal activity in this period, whereby Bancroft operated under letters patent which gave him wide but nebulous powers and where he confronted other jurisdictions.

Bancroft's decisive actions had a number of implications. One was to bring into question the common law verdicts. But another outcome was to provoke the writing of propaganda. While jurisdictional conflict remained unresolved, Bancroft's intervention in the exorcism cases suggested to polemicists the idea of the ungodly bishop as a force in opposition to the godly exorcists (and by extension the learned jurists). Accordingly, surveys of the exorcism cases which Bancroft engaged with brings to light one particular dimension of how the jurisdictional conflicts played out. By contesting common law verdicts, Bancroft laid himself open to propaganda against the order of bishops. But it also becomes clear that Bancroft fought this polemic, intervening in cases to discredit exorcisms which the common law courts had accepted as genuine, doing so to neutralise propaganda against his order that the exorcisms had facilitated.

Such was the case when Bishop Bancroft was tasked with investigating a number of dispossessions which had been conducted by Puritan clergy. In each case he operated in tandem with his chaplain Samuel Harsnet (d.1631), and their involvement led to the discrediting of exorcists, the assertion that the demoniacs were frauds and the concomitant challenge to common law verdicts that had found old women guilty of bewitchment. The first of these was in 1599 when Bancroft and Harsnet discredited John Darrel, an exorcist from

²¹ Knafla, *Law and Politics*, pp.138-139.

²² Knafla, *Law and Politics*, pp.138-139.

Ashby-de-la-Zouche, who claimed to have successfully dispossessed Will Somers, a fiddler's apprentice.²³ In 1602 they examined the dispossession of Mary Glover, again mobilising evidence against the puritan exorcists and in favour of the witch accused of the bewitchment.²⁴ In 1605 came the case of Anne Gunter, who was brought to Lambeth Palace and who ultimately confessed that her possession had been faked.²⁵ In these cases, Bancroft took a consistent approach, investigating and disputing the claims of genuine possession and effective exorcism. If a person had been accused of witchcraft, Bancroft also worked assiduously in their defence, for instance organising the defence of Elizabeth Jackson, the woman accused of Glover's possession.

The cases of exorcism which Bancroft investigated were specific flashpoints of conflict between Bancroft and Anderson. In the Mary Glover case in particular, Bancroft reveals himself at his most obstructive to the judicial punishment of an accused witch, punishment presided over by Anderson, and at his most anxious to promote views contrary to the accepted wisdom on witches. The Glover case, especially the trial of Elizabeth Jackson, accused of bewitchment, before Lord Chief Justice Anderson, has been described by Orna Alyagon Darr as a 'battle of experts'.²⁶ Among these experts was the physician Dr Edward Jorden, who testified that Glover's fits were natural in origin, and who also insinuated that they may have been faked. Jorden's evidence was directly challenged from the bench by the Lord Chief Justice, who compelled Jorden to retract the insinuation of fakery and whose summing up to jurors made clear his direction that they were not to trust medical evidence implicitly, especially in a case where 'the presumptions are so great and the circumstances so apparent'.²⁷ Bancroft played no role in the actual trial, in which Jackson was found guilty and sentenced to be pilloried, but behind the scenes he worked with the Recorder of London, John Croke, to conduct experiments into Glover's possession. After the trial he most likely encouraged Jorden to publish a tract restating the evidence which the Lord Chief Justice had so emphatically ridiculed in court.²⁸

Exorcists and their sympathisers were alert to this struggle. In his apologetical tract the exorcist John Darrel suggested that by disbelieving in the reality of Will Somers'

²³ The cases were all pursued in the contemporary literature, including Darrel's self-defence *A True Narration of the Strange and Grevous Vexation by the Devil, of 7 Persons in Lancashire, and William Somers of Nottingham* (1600); he was defending himself from Harnset's *A Discovery of the Fraudulent Practices of John Darrell Bachelor of Arts* (1599).

²⁴ Contemporary tracts are in Michael MacDonald (ed.), *Witchcraft and Hysteria in Elizabethan London* (London: Tavistock/Routledge, 1991).

²⁵ James Sharpe, *The Bewitching of Anne Gunter: A Horrible and True Story of Deception, Witchcraft, Murder and the King of England* (New York: Routledge, 2001). Sharpe's text is a work of popular history and is lightly referenced.

²⁶ Orna Alyagon Darr, *Marks of an Absolute Witch: Evidentiary Dilemmas in Early Modern England* (Aldershot: Ashgate, 2011), p.210.

²⁷ Darr, *Marks of an Absolute Witch*, p.221.

²⁸ Darr, *Marks of an Absolute Witch*, p.222; Levack, 'Possession, Witchcraft and the Law in Jacobean England', p.1634.

bewitchment, Bancroft had placed himself in opposition to ‘Judge, Iustices of the Peace, and Iurie’.²⁹ Similarly the apologetical tract *Triall of Maist. Dorrell* asserted that the prelates were a force in opposition to the judiciary.³⁰ Darrel also compared Bancroft’s powers with the common law courts, stressing that the treatment of witnesses by the High Commission was different to ‘anie other court of justice in England’, in terms of the disparagement of the defence witnesses.³¹ Darrel’s assessment of Bancroft’s relationship with the judiciary is not to be trusted at face value; after all, it suited him to suggest that Bancroft was not part of a general consensus. Nonetheless, there is a measure of reality in his assessment, as Lord Chief Justice Sir Edmund Anderson did boast that he had had hanged over twenty witches during his career at the bench.³² Darrel’s associates and supporters approved of this robust justice. The 1599 tract the *Triall of Maist. Dorrell* reported Chief Justice Anderson sending a convicted witch to hang at the Tyburn gallows and generally saluted him as a very just member of the bench.³³

Bancroft and the course of justice

The fact that Bancroft and Anderson disagreed with each other was noted in contemporary literature. The contestation between them, and between their approaches to witches and exorcists, was brought out most strongly in *Triall of Maist. Dorrell* from 1599. The text counterposes the limitations of Bancroft’s ecclesiastical judgment with Anderson’s jurisprudence; thus the signs of possession which Bancroft dismissed ‘The Iudge acknowledged them [to be] very wonderful’.³⁴ The tract narrated an encounter between Bancroft and Anderson, in court and during the prosecution of an accused witch, during which Bancroft ‘smiled (at no laughing matter)’. The tract also reported that Bancroft was rebuked from the bench for laughing at reports of what Anderson considered to be the afflictions of the genuinely bewitched.³⁵ The authenticity of the encounter between Bancroft and Anderson cannot be substantiated, although it was also reported in the manuscript ‘Mary Glover’s Late Woeful Case’ (BL Sloane MS 831), which was circulating by 1603.³⁶ Where it matters however is the way in which it seemingly encapsulated conflict between judiciary and episcopacy and fuelled polemical literature which suggested antipathy between the church courts and the common law courts.

²⁹ Darrel, *A Brief Apologie*, p.30.

³⁰ Anon., *The Triall of Maist. Dorrell, or A Collection of Defences* (1599).

³¹ *A Briefe Narration of the Possession, Dispossession and Repossession of William Sommers* (Amsterdam [?], 1598).

³² Clive Holmes, ‘Popular Culture?: Witches, Magistrates and Divines in Early Modern England’, in Steven L. Kaplan (ed.), *Understanding Popular Culture: Europe from the Middle Ages to the Nineteenth Century* (Berlin and New York: Mouton, 1984), pp.86-91. Anderson is recalled as a jurist of an independent cast of mind; see his entry in the *Dictionary of National Biography*.

³³ *The Triall of Maist. Dorrell*, p.92.

³⁴ *The Triall of Maist. Dorrell*, p.47.

³⁵ *The Triall of Maist. Dorrell*, p.88.

³⁶ BL Sloane MS 831; edited and transcribed in MacDonald (ed.), *Witchcraft and Hysteria in Elizabethan London*.

The *Triall of Maist. Dorrell* is an important work for understanding how Bancroft's reactions to exorcists and witches were understood by unsympathetic contemporaries, but further how the jurisdictional conflict between High Commission and the Common Pleas was narrated in contemporary polemic. The contrast between episcopal and judicial procedures runs through the *Triall of Maist. Dorrell*, the writer asserting that Darrel 'hath not had convenient place to defend himself against charges brought with the 'heaped informacions' gathered by the prelates.³⁷ The writer of this tract was sensitive to distinctions between different jurisdictions, but also argued that the procedure of the High Commission disadvantaged Somers and Darrel, for 'circumstances be but halfe a profe in the civill lawe, and that in a case where one sufficient witsnesse speakes fully to the matter'.³⁸

The complaints which Darrel and anonymous writers sympathetic to him raised about the proceedings of the High Commission were not new. Parliamentarians and puritan clergy both objected to the procedures of the High Commission, including the administration of oaths *ex officio*, meaning that people under interrogation were sworn to truthfully answer questions at a time when they remained ignorant of the question's content. Common lawyers objected to procedures which did not conform to the patterns of their own jurisdictions but which defined the interrogative procedures of this rival jurisdiction.³⁹ Darrel's supporters took this point further, suggesting that the High Commission was inherently partial, and its procedures relating to interrogation and oaths allowed Bancroft to preside 'not as Iudge indifferently disposed', but as the adversary of Darrel.⁴⁰ Throughout the tract *The Triall of Maist. Dorrell* 'her Maiesties Courts of Iustice' are compared against the Ecclesiastical Commissioners; in the former 'both parties been not onely permitted to pleade and prove for them selves', but other fair procedures contrast with the summary proceedings of the Commission.⁴¹ These complaints are supplemented by other writings sympathetic to Darrel. *A Briefe Narration of the Possession, Dispossession and Repossession of William Sommers* compared the treatment of witnesses by the High Commission and other courts.⁴²

These complaints about how the Commission administered justice were not confessionally neutral. Instead their focus was episcopacy and the cases of exorcism became opportunities to raise propaganda against bishops. According to the author of the *Triall*, the putative unfairness of the Commission stemmed from the 'L.B. of London', who 'doth forbid'

³⁷ *The Triall of Maist. Dorrell*, p.4.

³⁸ *The Triall of Maist. Dorrell*, p.41.

³⁹ David Loades, *Politics and the Nation 1450-1660: Obedience, Resistance and Public Order* (London: Fontana, 1974), pp.324-5.

⁴⁰ *The Triall of Maist. Dorrell*, p.43.

⁴¹ *The Triall of Maist. Dorrell*, pp.72-73.

⁴² *Briefe Narration*, sig.B3.

fairness in its dealings.⁴³ Along with other bishops, Bancroft was alleged to have a 'secret persuasion' of Darrel's guilt.⁴⁴ The author of the *Briefe Narration* drew a similar conclusion, arguing that Darrel was the specific target of episcopal animosity.⁴⁵ Similarly the *Survey of Certain Dialogical Discourses*, a lengthy summary and refutation of arguments against Darrel, reported the Church's argument that Darrel was taking on himself duties and responsibilities that were not his responsibility, again emphasising the impression that the hierarchy was focussed on the persecution of Darrel.⁴⁶ Several points of importance emerge from this survey of what polemicists said about courts, judges and bishops as they intersected with exorcisms.

Unfavourable comparisons of common law with church law were nothing new; importantly, neither was anti-episcopal polemic. But here the two converge. The procedures of High Commission as related to the administration of oaths, the questioning of witnesses and the supremacy of bishops in its procedures allowed anti-episcopal polemicists to suggest that not only was High Commission biased, but that Bancroft in particular was a partial investigator, and was the adversary of Darrel. One of Darrel's sympathisers suggested that Darrel's prosecution transcended the impersonal and institutional: 'Harsnet [Bancroft's chaplain] threatened them, not with the high Commission so much, as with the L.B. of London', who was '*Domine fac totum* among the high Commissioners'.⁴⁷ Similarly the tract asserted Bancroft's personal animosity: 'For the L.B. of London had said he [Darrel] should not [be] out of prison while hee were B. of London'.⁴⁸ Whether or not Bancroft really felt so personally antipathetic towards Darrel is not a point that can be adjudicated; what matters is how the fact people believed him to be this way participated in contemporary anti-episcopal discourse. Making the contest this personal did in fact illuminate broader realities. Contest between one exorcist and one bishop was a means for polemicists to suggest that Darrel's opponents were popish.⁴⁹ This claim resonated and fed off decades of polemic which had made this point. Reformers across Europe came to the conclusion that bishops had no place in reformed religion.⁵⁰ Episcopacy rarely survived on the continent, reformed authority being embedded instead in presbytery, magistracy or consistory.⁵¹ The leaders of the Scottish Kirk declared that episcopacy was

⁴³ *The Triall of Maist. Dorrell*, p.74.

⁴⁴ *The Triall of Maist. Dorrell*, p.90.

⁴⁵ *Briefe Narration*, sig.B4.

⁴⁶ *Survey of Certain Dialogical Discourses: written by Iohn Deacon and Iohn Walker* (1602), p.60.

⁴⁷ *The Triall of Maist. Dorrell*, pp.44, 59.

⁴⁸ *The Triall of Maist. Dorrell*, p.49.

⁴⁹ *The Triall of Maist. Dorrell*, p.44.

⁵⁰ On the Swiss suspicion of bishops see Patrick Collinson, *The Elizabethan Puritan Movement* (London: Cape, 1967), pp.104-5.

⁵¹ On the post-Reformation survival of episcopacy see John Spurr, *The Restoration Church of England, 1646-1689* (New Haven: Yale University Press, 1991), p.109 and Maurice Elliott, *Episcopacy in the thinking of Thomas Cranmer (1489-1556)*, Queen's University Belfast PhD, 2001, pp.5-6. Apart from the occasional Scandinavian Lutheran

unscriptural.⁵² The Lords of the Congregation thus gave voice to the view that episcopacy was a popish remnant and an embodiment of incomplete reform. Alexandra Walsham points out that ongoing and enduring reform was a feature of anti-episcopal thought, among which she includes the Elizabethan don Thomas Cartwright and the tracts published by 'Martin Marprelate' which condemned episcopacy as a popish relic.⁵³

The way bishops executed justice became part of the substance of anti-episcopal propaganda. Implicitly, the bishops were popish, by refusing to punish popish exorcists when they would pursue Protestant exorcists.⁵⁴ Explicitly the tract *The Triall of Maist. Dorrell* argued that deficiencies in the administration of justice were not simply inherent to the High Commission but were popish in origin and character. These deficiencies polemicists related back directly to the episcopate of the Church of England. *The Triall of Maist. Dorrell* at the last brought back complaints about justice to the continued presence of bishops in the Church, for the 'hatred which the L.Bb. (*Cant. & London*)' was directed through the Commission 'against those that desire reform of the church'.⁵⁵ Indeed, the 'credit by working miracles in the casting out Devills' was an objection to exorcists made by episcopal supporters, who connected such claims with ecclesiastical rebels such as the Genevans, or those who wished to replace episcopacy with consistory.⁵⁶ This comparison runs to the core of the writings about the exorcisms which Bancroft investigated; it is suggestive of how anti-episcopal impulses show themselves in these writings, and how the idea of jurisdictional conflict, if amplified in polemic, was used to suggest the romanish severity of bishops. It further clarifies Bancroft's concern to intervene and discredit cases which functioned as polemic against his order. Confronting and contradicting exorcists became an immediately compelling method for neutralising occasions for propaganda against episcopacy.

Conclusion

To desire reform of the Church at the end of the sixteenth century meant to wish to do away with bishops. Ultimately, evidence concerning the punishment of exorcists connects back to

bishop and the English episcopate, episcopacy also survived in the reformed Church of Transylvania. I am grateful to Diarmaid MacCulloch for this point. See also Patrick Collinson, John Craig and Brett Usher (eds), *Conferences and Combination Lectures in the Elizabethan Church: Dedham and Bury St Edmunds 1582-1590* (Boydell Press/Church of England Record Society, vol.10, 2003), p.xxii. They argue that the survival of dioceses was 'unique' to England, but this term is too precise.

⁵² On Scottish fears of bishops see Alan. R. MacDonald, 'James VI and I, the Church of Scotland, and British Ecclesiastical Convergence', *Historical Journal* 48, 4 (2005), p.889.

⁵³ Alexandra Walsham, *Charitable Hatred: Tolerance and Intolerance in England 1500 – 1700* (Manchester: Manchester University Press, 2006), p.17.

⁵⁴ *The Triall of Maist. Dorrell*, p.75.

⁵⁵ *The Triall of Maist. Dorrell*, p.79.

⁵⁶ *The Triall of Maist. Dorrell*, p.80.

contemporary debate about episcopacy. Propaganda in favour of exorcists was also propaganda against bishops. Comparison between the common law courts and the High Commission undoubtedly exaggerated the implications for justice of the prerogative powers of the Commission and its inquisitorial techniques. Even arguing by exaggeration however, the contrasts delineated between the justice meted out by bishops and that by judges such as Edmund Anderson were confessionally charged. To assert that exorcists were treated unfairly by Bishop Bancroft, and to compare Bancroft's attitude with Anderson's, was also to enter into arguments about the government of the Church of England by bishops. By suggesting not simply the disbelief of bishops in the reality of these bewitchments and exorcisms, but the harshness of their treatment of exorcists in the High Commission, anti-episcopal writers located bishops and judges in the mutually exclusive camps of the ungodly and the godly. Undoubtedly there was some level of disagreement between Bancroft and Anderson. That Anderson may have rebuked Bancroft for his attitude is suggestive of this point. However the differences between them also existed in the minds and desires of anti-episcopal writers. Finding their own church far from the standards of the best and most godly European confessions, precisely because their church still had bishops, the idea of conflict between judges and bishops was accordingly useful. Judges not only testified to the wonderful abilities of the exorcists, they also threw into relief the severity of romanizing bishops. Bancroft's intervention into cases of exorcism has been accounted for in various ways: his scepticism is one frequently encountered explanation. While the common law courts and the Commission existed at times in tension with each other, and unquestionably differed in their operations and their approach to evidence, jurisdictional conflict in these cases was also part of anti-episcopal polemic. It was important to Bancroft to neutralise this through the harsh treatment of the exorcists.